

41738
DEED COVENANTS

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SHORT MTN. HEIGHTS

This declaration of easements, protective covenants and beneficial restrictions shall run with the land and shall be referenced as part of every contract of sale and conveyance of title.

1. Each owner shall have an easement over the roads of the subdivision for access to and from State Road 11, Del Ray Road (also called North River Road) to his lot within the subdivision and to and from the parking area at HIGH MOUNTAIN TURN for the purpose of ingress and egress to and from the 8,000 acre hunting and fishing area known as SHORT MOUNTAIN, administered by the West Virginia Department of Natural Resources.
2. Maintenance and repairs to said roadways within the subdivision shall be performed on a continuing basis by the Short Mtn. Heights Property Owners Association. The maintenance fee shall be \$30.00 annually, with a one-time initial membership fee (to be used for organizational and administrative purposes) of \$10.00 per lot owner. The annual fee, however, is payable per lot owned and does not apply to the unsold inventory of the developer.
3. The developers reserve unto themselves, and in behalf of the said Association, their heirs and assigns, an easement or right-of-way over, under or through a twenty foot strip of land along every lot line of every lot in the subdivision for the purpose of facilitating the granting of rights-of-way for maintenance and utilities.
4. No commerce or business of any type is allowed within the subdivision. No signs of any kind are permitted except directional and informational signs of the developer and name and lot number sign of the several owners.
5. Mobile homes are not allowed to be utilized on or upon any lot fronting SHORT MOUNTAIN BLVD (the main road leading up to Short Mountain). However, motor homes, camping trailers and camping in general is permitted on each and every lot within the subdivision. No buses, trucks, old cars or unsightly conditions will be permitted to exist on any lot if deemed to be left, stored or abandoned. The Owners Association reserves the right to promulgate and implement additional rules and regulations from time to time.
6. Sewerage and waste systems shall conform to West Virginia regulations.
7. No structure of any kind shall be built within twenty-five (25) feet of any property line without written variance from the Property Owners Association. No driveway or access to any lot may be built across a road ditch without the installation of an appropriate culvert to divert storm water runoff and protect the roads from washout. Lots 44, 45, 46, 47, 52, and 53 have power transmission line right-of-way. No structure may be built upon said right-of-way.
8. Since private access is afforded to 8,000 acres of hunting lands, no charge of firearms or hunting is permitted within 150 yards of any residence, campsite, posted land, or otherwise improved property within the subdivision.
9. These covenants may be amended by two-thirds vote of the members in standing, or by the developer provided such change, modification, or amendment is duly recorded among the land records of Hampshire County, West Virginia. The Property Owners Association shall be formed in Autumn, 1986, and the organizational meeting shall be called by the developer. Voting at meetings shall be on the basis of one vote per lot owned and a simple majority shall prevail on all questions except

SHORT MTN. HEIGHTS DEED COVENANTS CONTINUED

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fees and deed covenant changes as indicated above.

10. Determination by any court of proper cognizant jurisdiction that any provision herein is invalid for any reason whatever, shall not affect the validity of the balance of these provisions or regulations of the Property Owners Association.

11. SPECIAL RESTRICTIONS: Owners of lots numbered 1 thru 7, 4 thru 39, and 57 thru 60 are required to build on permanent foundations complying with local code. Also, while owners of these lots are not required to build at any time, they must - if building - conform to this paragraph and further, may not erect more than one residence per lot. No single-wide mobile homes are allowed on these lots.

(These covenants contain 11 paragraphs)

IN WITNESS WHEREOF, The undersigned has caused these presents to be signed by ROYCE B. SAVILLE as ATTORNEY-IN-FACT for MARTIN I. PRICE, of WV POTOMAC HYLANDS, INC., A VIRGINIA CORPORATION, and its corporate seal affixed hereto by its proper officer thereunto duly authorized on this the 14th day of August, 1986.



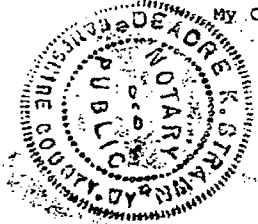
STATE OF WEST VIRGINIA,
COUNTY OF HAMPSHIRE, TO WIT:

WV POTOMAC HYLANDS, INC.,
A VIRGINIA CORPORATION

BY: Royce B. Saville
Attorney-in-fact for
MARTIN I. PRICE
(see Deed Book 285, Pg. 747)

I, Deadre K. Rinker, a Notary Public in and for the aforesaid County and State do hereby certify that Royce B. Saville as Attorney-in-fact for MARTIN I. PRICE of WV Potomac Hylands, Inc., a Virginia Corporation, has acknowledged the same before me in my County and State on this the 14th day of August, 1986.

My Commission Expires: June 12, 1994



Deadre K. Rinker
NOTARY PUBLIC
Commissioned as: Deadre K. Strawn

THIS INSTRUMENT WAS PREPARED BY: ROYCE B. SAVILLE
ATTORNEY AT LAW,
95 W. MAIN STREET, P.O. BOX 2000,
ROMNEY, WEST VIRGINIA 26757-2000

STATE OF WEST VIRGINIA, County of Hampshire, to-wit:

Be it remembered, that on the 14th day of August, 1986, at 11:23 A.M., this Covenants was presented in the Clerk's Office of the County Commission of said County and with the certificate thereof annexed, admitted to record.

Attest Nancy C. Feller Clerk
County Commission, Hampshire County, W. Va.

BOOK 15 PAGE 534

AMENDMENT

SHORT MOUNTAIN HEIGHT'S PROPERTY OWNERS ASSOCIATION, INC.

BY-LAWS

Short Mountain Height's Property Owners Association, Inc. desire to make changes to the BY-LAWS established, May 25, 2000 by the Board of Directors. The Board of Directors force said the Association met on April 10, 2001 proposed changes as follows. Subsequently notice of proposal changes was given a 2/3 members vote by the Board of Directors.

A Board Meeting was called on August 4, 2001, all Officers were present and a quorum was present and motion was made and motion was carried as proposal of change to the originally BY-LAWS of such amended as follows.

ART. II, SECTION 2-B

General Membership Meetings: There will be only 1 general membership meeting each year, unless an emergency meeting is called. At this general meeting the officers of the Association shall be elected in accordance with the requirements of ART. III. Section 2 of the BY-LAWS. The time and place are to be decided by the President.

SECTION 6

If Property Owners take it upon themselves to repair roads, only 25 ft. from their property line to the middle of road, WILL NOT BE COMPENSATED OR DEDUCTED THEIR COST FROM ROAD DUES. "ALL ROAD REPAIRS WILL BE DONE BY OFFICERS OF THE ASSOCIATION AND CONTRACTED EXCAVATING FIRMS ONLY". IF PROPERTY OWNERS DAMAGE THE ROADS, THEY ARE LIABLE FOR DAMAGES.

ART. III, SECTION 9

Compensation of Officers: No Officers shall receive any compensation from the Association solely for exercising his duties and obligations as an Officer. ALSO, Property Owners (Officers) will not be compensated or deducted their cost for road repairs, snow removal from Road Dues.

In all other restriction in reference GENERAL LEDGER BOOK NO. 15 page 214 in full force as amended.

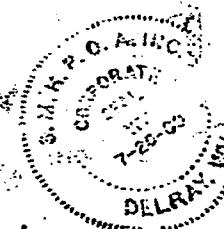
SHORT MOUNTAIN HEIGHT'S PROPERTY OWNERS ASSOCIATION, INC.

President-Wallace McWilliams *Wallace McWilliams*

Vice-President-Kenneth Poteste Jr. *Kenneth Poteste Jr.*

2ND Vice-President-George Roberts *George Roberts*

Secretary & Treasurer-Deborah McWilliams *Deborah McWilliams*



800. 15PA6 535

SHORT MOUNTAIN HEIGHT'S PROPERTY OWNERS ASSOCIATION, INC.

AMENDED BY-LAWS

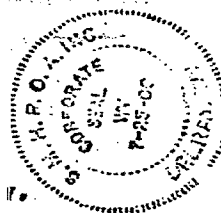
FILED BY: Wallace McWilliams, President Wallace McWilliams

Deborah McWilliams, Secretary & Treasurer

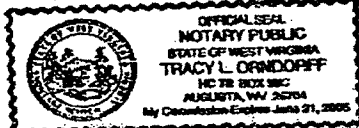
DATE: Aug. 13, 2001Deborah McWilliams

SEAL:

I, Tracy Oondorff, a Notary Public in and for Hampshire County, State of West Virginia, do hereby certify the signatures of President and Secretary-Treasurer of Short Mountain Height's Property Owners Association Inc., a West Virginia Association. Thereunto duly authorized on this day 13th of August 2001.



My Commission Expires:

June 21, 2005

NOTARY PUBLIC

Mail to 490

Prepared by: S.M.H.P.O.A., INC.
c/o Secretary-Deborah McWilliams
P.O. Box 35
Delray, West Virginia 25714

HAMPSHIRE COUNTY COM.
CLERK 03
Date/TIME: 08/13/2001 12:24
List #: 3129
Book/Page: 15- / 54-
Recd/Tax: 6.00

STATE OF WEST VIRGINIA, County of Hampshire, to-wit:

Be it remembered that on the 13th day of August, 2001, at 12 24 P. M.,
as Amendment was presented in the Clerk's Office of the County Commission of said County
and with the certificate thereof annexed, admitted to record.

Attest: Sharon H. Link Clerk
County Commission, Hampshire County, W. VA. ASH

AGE 2

BOOK 15 PAGE 540

SHORT MOUNTAIN HEIGHT'S PROPERTY OWNERS ASSOCIATION, INC

AMENDED BY-LAWSFiled by: Wallace McWilliams, President Wallace McWilliams

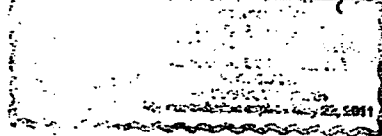
Deborah McWilliams, Secretary & Treasurer

Date: Aug 24, 2001Deborah McWilliams

SEAL:



I, Linda J. Dougherty, a Notary Public in and for Hampshire County, State of West Virginia, do hereby certify, the signatures of President and Secretary-Treasurer of Short Mountain Height's Property Owners Association Inc., a West Virginia Association. Thereunto duly authorized on this day 24th of August 2001.

My Commission Expires: May 22, 2001

Linda J. Dougherty
NOTARY PUBLIC

Mailed to and prepared by: S.M.H.P.O.A., INC.
c/o Secretary-Deborah McWilliams
P.O. Box 35
Delray, West Virginia 26014

HAMPSHIRE COUNTY CLERK
CLERK 03
Date/Time: 08/24/2001 12:42
Inst #: 33488
Book/Page: 15 / 59
Rec'd/Tax: 6.00

STATE OF WEST VIRGINIA, County of Hampshire, to-wit:

Be it remembered that on the 24th day of August, 2001, at 11:42 P. M., his Amendment was presented in the Clerk's Office of the County of said County and with the certificate thereof annexed, admitted to record.

W. B. Haines, Inc., Shelton, WV Re-Order No. 2000-00

Attest: Sharon H. L. b
County Commissioner, Hampshire

Clerk
County, W. VA. AKA

67624

AMENDMENTPLAT OF SHORT MTN. HEIGHT'S SUB-DIVISION

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SHERMAN DISTRICT, HAMPSHIRE COUNTY, WEST VIRGINIA

Short Mountain Height's Property Owners Association, Inc. desire to make a change of Short Mountain Height's Plat and the Board of Directors force said of Association met on April 28, 2001 proposed to plat of Short Mtn. Height's, as follows. Subsequently notice of proposal change was given a 2/3 members of the Board of Directors. A meeting was called on June 23, 2000 of all lot owners of good standing for proposal change and a quorum was present and motion carried as proposal of change or add new road name to the originally plat of such amended as follows.

1. Short Mtn. Blvd. branches off to PATTY'S PLACE, change PATTY'S PLACE to POTEETE'S PLACE in Memorial to Mr. & Mrs. Kenneth Poteete Sr. which ends at cul-de-sac.
2. Short Mtn. Height's Blvd. to cul-de-sac road extending to cul-de-sac, this road is named ARIZONA LANE.

In all other restrictions in reference DEED BOOK #276, page 463 in full force as amended.

SHORT MOUNTAIN HEIGHT'S PROPERTY OWNERS ASSOCIATION, INC.

SECRETARY Deborah McWilliams
Filed by: Deborah McWilliams

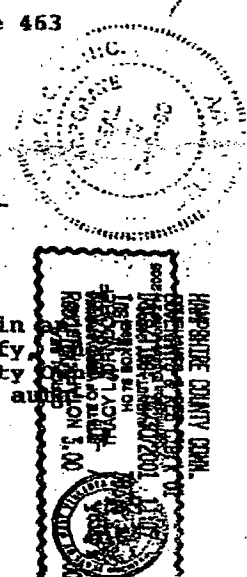
Dated: April 30, 2001

S.M.H.P.O.A., INC
P.O. Box 35
Delray, WV 26714

NOTARY PUBLIC: I, Tracy Orndorff, a Notary Public in and for Hampshire Co., State of West Virginia, do hereby certify that the signature is the proper Officer of Short Mtn. Hgts. Property Owners Assoc., Inc., a West Virginia Association. There unto duly authorized on this day 30th of April 2001.

My Commission Expires: June 24, 2005

NOTARY PUBLIC Tracy Orndorff



STATE OF WEST VIRGINIA, County of Hampshire, to-wit:

Be it remembered that on the 30th day of April, 2001, at 11:07 A.M.

this Amendment was presented in the Clerk's Office of the County Commission of said County and with the certificate thereof annexed, admitted to record.

Attest: Sharon H. Link Clerk
County Commission, Hampshire County, W.V.A. AEM